

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
(Miami Division)

**Case No. 1:24-cv-22849-Civ-Ruiz**

NERLYNE AUGUSTE,

Plaintiff,

vs.

DESH INCOME TAX &  
IMMIGRATION SERVICES, LLC,  
and MAGDALA NICLASSE,

Defendants.

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**DEFENDANTS' AGREED MOTION FIOR EXTENSION OF TIME TO  
RESPOND TO PLAINTIFF'S COMPLAINT**

Defendants, DESH INCOME TAX & IMMIGRATION SERVICES, LLC, and MAGDALA NICLASSE, in accordance with Federal Rule of Civil Procedure 6(b)(1)(A), hereby move for a one-week extension of time, until and including October 1, 2024, to file their response to Plaintiff's Complaint in this matter, and as grounds therefor state as follows:

1. Plaintiff's Complaint was served on Defendants on September 3, 2024, and the undersigned's Notice of Appearance of Counsel for Defendants was filed September 17, 2024 [Doc. 6]. Prior to entering the notice of appearance, the undersigned spoke with Plaintiff's counsel about the case and the information that would be required to determine if the case could be expeditiously resolved prior to the filing of a responsive pleading or before engaging in formal discovery.

2. On September 18, 2024, the Court entered its Order in Actions brought Under the Fair Labor Standards Act [Doc. 7] and Order Requiring Joint Scheduling Report and Certificate of Interested Parties [Doc. 8].

3. Defendants' Certificate of Interested Parties is being filed concurrently with this motion, but Defendants seek an additional seven days to prepare and file their response to the Complaint so that the undersigned can obtain and review the documents and other information supporting the defenses and affirmative defenses to Plaintiff's claims, and which will be produced as part of Defendants' Response to Plaintiff's Statement of Claim. The extension will also give counsel for the parties' additional time to continue their discussions about the potential for early resolution, the exchange of information about the claims and defenses required by the Court's FLSA Order and the settlement conference procedures for Magistrate Judge Lauren F. Louis.

4. Defendants' counsel has conferred with Plaintiff's counsel regarding this requested extension and Plaintiff has agreed to the additional seven days requested by Defendants for their response to the Complaint.

5. This extension of time is sought in good faith and not for purposes of delay, and neither of the parties will be prejudiced if relief is granted.

WHEREFORE, Defendants respectfully request an extension of time, until and including October 1, 2024, to file their response to Plaintiff's Complaint in this matter

Respectfully submitted,

Christopher C. Sharp

Christopher C. Sharp, Esq.

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Dated: September 24, 2024 Counsel for Defendants

**Certificate of Service**

I hereby certify that on September 24, 2024 the foregoing document was electronically filed with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

By: Christopher C. Sharp

Christopher C. Sharp, Esq.

**SERVICE LIST**  
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